

### REMARKS

There are now pending in this application claims 1-4, 6, and 8-14, of which claims 1 and 9 are independent. Claims 5 and 7 have been cancelled without prejudice or waiver of their subject matter, while claims 8-14 are newly added.

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph, on grounds that the specification was not totally enabling for setting the restoration forces of the elastic member smaller such that the elastic members were apart from the center of rotating of the document pressing device, as recited in claim 1. As the Examiner will appreciate, independent claim 1 has been substantially amended to even more clearly recite Applicants' invention. Now, claim 1 recites that the restoration forces by deformation of the plurality of elastic members on the pressing position are set to be smaller so that the elastic members are disposed at a position further from the center of rotating in the document pressing device. Such claim features with respect to the restoration forces are believed fully supported in the specification at least on page 34, lines 13-23. The aforementioned amendments to claim 1 are believed to highlight and clarify the parallel between the claim language and the specification. Accordingly, withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, is respectfully sought.

Claims 1-7 were also rejected under 35 U.S.C. § 112, second paragraph. Each of these rejections is similarly based on the last paragraph of claim 1 and it is respectfully submitted the revised language meets all of the requirements of 35 U.S.C. § 112, second paragraph, and is fully supported in the specification indicated above.

New independent claim 9 corresponds to claim 1 as amended but is directed to an image forming apparatus which incorporates the image reading apparatus as recited in claim 1. It is therefore respectfully submitted that claim 9, as well as claims 10-14 which depend from therefrom, meet all of the requirements of § 112.

Applicants respectfully submit that the claims have been placed in proper form and are in condition for allowance. Since the restoration forces by deformation of the plurality of elastic members on the pressing position are set to be smaller as the elastic members are disposed at a position further from the center of rotating of the document pressing device, and the summation of the restoration forces by deformation of the plurality of elastic members is made small, as a result, the biasing force acting in the opening direction of the document pressing device can be increased, thereby decreasing the operation force for opening document pressing device. Such features are not believed to be taught or suggested by the prior art.

Applicants respectfully submit that this application has been placed in condition for allowance. Favorable consideration and early passage to issue of the above application are respectfully sought.

Lastly, Applicants respectfully note that an Information Disclosure Statement was filed on September 30, 2003, citing U.S. Patent No.6,405,017, and that a Supplemental Information Disclosure Statement was filed on November 20, 2003, citing U.S. Patent No. 6,131,898. Applicants respectfully request the Examiner confirm consideration of the references cited in those Information Disclosure Statements.

Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



---

Lawrence A. Stahl  
Attorney for Applicants  
Registration No. 30,110

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

LAS:cyw

DC\_MAIN 197734v1